File No. 123(I) of 1931.

19

Collection No. (1)

Mas 24/6

Resident's Office,

Bangalore.

P24 14

Pros. Serial Nos. 1---3.

Subject.

Municipal Bye-Law to enforce the stopping of vehicles at octroi ookads and outposts.

Previous References.	Later References.
123 of 1931. Regulating traffic in the streets.	

S. 97. (Blue).

DCFP—576S&P—(G-745)—23-9-30—50,000.

NOTES AND PRECIS.

Section, Heading.

FILE No. 123(I) of 1931

File No.

Serial No.

NOTES.

DEPT. BRANCH.

Pros. 19 Nos.

Subject.

Municipal Bye-Law to enforce the stopping of vehicles at octroi cokads and outposts.

Notes and Orders.

SGPI—EP—379DCFMis.—4-12-24—2,00,000.

S. N.1.

From the P. M. C., Civil & Military Station, Bangalore, No.1943/31, dated the 3rd November 1931.

The bye-law appears to be unobjectionable.

vide end of para. 3 of P.M.C

The P. M. C. says that it is designed to legal the practice now in vogue and that care will be take to avoid indiscriminate stopping of motor vehicles.

The maximum penalty prescribed by the bye-law (i.e. a fine of fifty rupees) is within the limit laid down in section 138 of the Bangalore Municipal Law.

Draft submitted.

C.V. Ramanathan
20.11.31

Secretary

S.N.2

Issued No.8477, dated the 25th Nov.1931

S.N.3 | Endorsement No.4366/31, dated the 27th November 1931 of the President, Municipal Commission, C. & M.Station

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The byelaw referred to has already been confirmed by Resident (vide S.N.2).

An endorsement on the back of the PUC is submitted for signature. (A copy of PUC and endorsement will be retained in office).

Issue section
Please see to this & return despatch
CVR
2/12

CVR
1/12/31

2.12.31

S.N.4. | Issued No. 8375, dated the 5th December, 1931.

CORRESPONDENCE.

H.O.
14 2,000—16—7—1931.

No. 1943/37
Gen 3

CIVIL AND MILITARY STATION, BANGALORE.
MUNICIPAL OFFICE.
DATED 3 November, 1931.

From

G. H. COOKE, ESQ., M. C., I. C. S.,
President, Municipal Commission,
C. & M. Station, BANGALORE.

To

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
5 NOV. 1931
Regd. No. 10393/
File No. 123P/31

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

SIR,

With a view to enforce the stopping of vehicles at octroi ookads and outposts in the station for examination and search for articles liable to octroi, the Municipal Commission, at their special meeting held on the 28th August 1931, considered the following new Bye-law framed under Sections 137(1) (n) and 138 of the Bangalore Municipal Law and resolved to publish it for objections - vide copy of resolution No.3 dated the 28th August 1931 enclosed):-

"All persons driving vehicles shall stop them at the Octroi Ookads and Outposts, when entering the Station limits whenever required to do so by the Octroi staff for the purpose of examining and searching for articles liable to Octroi."

"Breach of this rule shall render the offender liable on conviction to a fine not exceeding rupees fifty."

"Provided that in case the offender, being a person other than the owner of such a vehicle, is not traceable, the owner of such a vehicle shall be punished as if he himself had committed the said offence."

2. The proposed new Bye-law was accordingly published for objections -(Vide copy of this office notice No.2709/31, dated the 5th September 1931 enclosed) and no objections having been received, the matter was again placed before the Municipal Commission at their special meeting held on the 29th October 1931, when it was resolved that their resolution of the 28th August 1931 be reaffirmed and be submitted to the Hon'ble the Resident for confirmation - (Vide copy of resolution No.2, dated the 29th October 1931 enclosed). I request that the Hon'ble t

P. T. O.,

Resident may be pleased to confirm the Commission's resolution of the 28th August 1931 accordingly, to come into force with effect from the 1st December 1931. The Bye-law may be numbered as Bye-law No.4 A, Chapter II.

* Bench. not put up.

3. It has been the practice hitherto to prosecute people for not stopping vehicles at the Octroi Ookads and Outposts when required to do so, though no provision existed either in the Bangalore Municipal Law or the Bye-laws framed thereunder. The Bench Court was convicting the accused in these cases under a misapprehension. The Bye-law is designed to legalise the practice now in vogue. Care will be taken to avoid indiscriminate stopping of mo r vehicles at the ookads.

I have the honour to be,

Sir,

Your most obedient servant,

8.x.31

PRESIDENT, M. C.

DIW.

3/11/31

Municipal Commission's resolution dated the 28th August 1931. (Special meeting).

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3. Consideration of a draft bye-law requiring persons driving vehicles to stop them at the Octroi Ookads and outposts to examine and search for articles liable to octroi.

Recommended.

Resolved that the following new bye-law proposed to be made under Sections 137 (1) (n) and 138 of the Bangalore Municipal Law in regard to the stopping of vehicles to examine and search for articles liable to Octroi,' be published for objections:-

"All persons driving vehicles shall stop them at the Octroi Ookads and outposts, when entering the Station limits whenever required to do so by the Octroi staff for the purpose of examining and searching for articles liable to Octroi."

"Breach of this rule shall render the offender liable on conviction to a fine not exceeding rupees fifty.

"Provided that in case the offender, being a person other than the owner of such a vehicle, is not traceable, the owner of such a vehicle shall be punished as if he himself had committed the said offence."

(Sd). G. H. Cooke,
President, M. C.

" Copy. "

MVL. Walungaraj
3/11/31

No.2709/31. Civil and Military Station, Bangalore,
Municipal Office,
dated 5th September 1931.

NOTICE.

The following draft of a new Bye-law in regard to the stopping of vehicles at Octroi Ookads and outposts for examination and search of articles liable to Octroi, which the Municipal Commission for the Civil and Military Station of Bangalore, under the provisions of Sections 137 (1) (n) and 138, Bangalore Municipal Law propose to make, is hereby published for general information:-

"All persons driving vehicles shall stop them at the Octroi Ookads and outposts, when entering the Station limits whenever required to do so by the Octroi staff for the purpose of examining and searching for articles liable to Octroi."

"Breach of this rule shall render the offender liable on conviction to a fine not exceeding rupees fifty."

"Provided that in case the offender, being a person other than the owner of such a vehicle, is not traceable, the owner of such a vehicle shall be punished as if he himself had committed the said offence."

2. Objections and suggestions should reach the President, Municipal Commission on or before the 7th October 1931.

G. H. Cooke,
President, M. C.

" Copy. "

MVL. K Palaniyappa
3.11.31

Municipal Commission's resolution dated the 29th October 1931. (Special meeting).

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2. Re-affirmation of the Commission's resolution No.3, dated the 28th August 1931, regarding the stopping of vehicles at the Octroi Ookads and outposts for examination and search for articles liable to Octroi.

Resolved that the Commission's resolution No.3 dated the 28th August 1931, relating to the following new bye-law proposed to be made under Section 137 (1) (n) and 138 of the Bangalore Municipal law in regard to the stopping of vehicles to examine and search for articles liable to Octroi be re-affirmed and be submitted to the Hon'ble the Resident for confirmation:-

"All persons driving vehicles shall stop them at the Octroi Ookads and outposts, when entering the Station limits whenever required to do so by the Octroi staff for the purpose of examining and searching for articles liable to Octroi."

"Breach of this rule shall render the offender liable on conviction to a fine not exceeding rupees fifty."

" Provided that in case the offender, being a person other than the owner of such a vehicle, is not traceable, the owner of such a vehicle shall be punished as if he himself had committed the said offence."

(Sd). G. H. Cooke,
President, M. C.

," Copy. "

MVL. 3-11-31

2

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 8477
123A-1931.

FROM
Captain G. Kirkbride,
SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To
The President, Municipal Commission,
Civil and Military Station, Bangalore.

Dated Bangalore, 25th Novr. 1931

Subject.
Stopping of vehicles at Octroi Ookads and outposts in the Civil and Military Station of Bangalore.

SIR,

(H) S.N.I

I am directed to refer to your letter No. 1943/31, dated the 3rd November 1931, regarding the stopping of vehicles at octroi ookads and outposts in the Civil and Military Station of Bangalore, and to say that the Hon'ble the Resident is pleased to confirm the new bye-law on the subject forwarded therewith. The bye-law will take effect from the 1st December 1931.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

24/XI
BJ

No. 4366/31. Civil & Military Station, Bangalore.

Municipal Office.

Dated 27th November 1931.

N O T I F I C A T I O N.

In exercise of the powers conferred upon them by Sections 137 (1) (n) and 138 of the Bangalore Municipal Law, the Municipal Commission for the Civil and Military Station, Bangalore, approved of the following new Bye-law in regard to the stopping of vehicles at the Octroi Ookads and Outposts for examination and search for articles liable to octroi. The Bye-law has been confirmed by the Hon'ble the Resident in Mysore, Bangalore, as required by section 139 of the Bangalore Municipal Law, and is hereby published for general information:-

"All persons driving vehicles shall stop them at the Octroi Ookads and Outposts when entering the Station limits, whenever required to do so by the Octroi staff, for the purpose of examining and searching for articles liable to octroi."

"Breach of this rule shall render the offender liable, on conviction, to a fine not exceeding rupees fifty."

"Provided that in case the offender, being a person other than the owner of such a vehicle, is not traceable, the owner of such a vehicle shall be punished as if he himself had committed the said offence."

(2). The Bye-law will be numbered as Bye-law No.4.A,, Chapter II, and will come into force with effect from the 1st December, 1931.

Sd. C.P.Chandran,
for President, Municipal Commission.

No. 4366/31. Dated 27th November, 1931.

Copy to the Secretary to the Hon'hle the Resident, with reference to his No. 8477/123A-1931, dated the 25th November 1931, for favour of publication in the Residency Orders.

Sd. C.P.Chandran,
for President, Municipal Commission.

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No. 8375 Office of the Resident in Mysore,
Bangalore 5th December, 1931.

Forwarded to the Manager, Residency Press, for publication of the notification in Mysore Residency Orders.

O/C Sd. R.S.Budd,
for Secretary to the Resident.